

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Franz Bonsang on 9/9/09.

**The application has been amended as follows:**

**2. The following claims have been amended and a complete listing is provided below:**

1-16(cancelled).

17(previously presented). A toothbrush, comprising:

a brushing head, with

- i) a first side portion (9) having a first length,
- ii) a second side portion (10) facing said first side portion, having a second length,
- iii) a planar joining portion (5), having a third length, joining a midsection of the first side portion to a midsection of the second side portion along the third length,
- iv) a first brushing compartment over a top surface of said joining portion and between an internal surface of said first side portion and an internal surface of said second side portion, and

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v) a second brushing compartment under a bottom surface of said joining portion and between the internal surface of said first side portion and the internal surface of said second side portion;

flexible brushing elements extending from the internal surfaces of both the upper brushing compartment and the lower brushing compartment; and

a handle mounted pivotably between i) a first position at an external surface of said first side portion and ii) an opposite, second position at an external surface of said first side portion, so that the handle swings between the first and second opposite stable positions.

18(previously presented). The toothbrush according to claim 17, further comprising:

a first fastening means located on the external surface of said first side portion to releasably and stably fasten the handle in the first position; and

a second fastening means located on the external surface of said first side portion to releasably and stably fasten the handle in the second position.

19(previously presented). The toothbrush according to claim 18, wherein,

the external surface of the brushing head is provided with a fastening means for releasably fastening the handle in a position about the axis in alignment with the third length of the joining portion, and

the handle fastened by the fastening means extends co-planar to the external surface.

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20(previously presented). The toothbrush according to claim 17, wherein the handle is pivotably movable in a plane substantially perpendicular to a plane of the external surface.

21(previously presented). A toothbrush, comprising:

- a brushing head, with,

- a first brushing compartment, having an internal planar first surface, an internal planar second surface facing opposite the first surface, and a first planar connecting surface joining the first surface to the second surface, the first surface, the second surface, and the first connecting surface enclosing a first space on three sides with a first open end opposite the first connecting surface,

- a second brushing compartment, having an internal planar third surface, and internal planar fourth surface facing opposite the third surface, and a second planar connecting surface joining the third surface to the fourth surface, the third surface, the fourth surface, and the second connecting surface enclosing a second space on three sides with a second open end opposite the second connecting surface,

- the first open end facing opposite the second open end;

- brushing elements extending from each of the surfaces of the first brushing compartment and the second brushing compartment; and

- a handle portion connected to an external of surface of at least one of the first brushing compartment and the second brushing compartment.

22(previously presented). The toothbrush according to claim 21, wherein the handle portion is pivotably movable in a plane substantially perpendicular to a plane of the external surface.

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23(currently amended). A toothbrush comprising:

a brushing head (2), comprising an upper brushing compartment (3) configured to receive the teeth of an upper jaw, and a lower brushing compartment (4) configured to simultaneously receive the teeth of a lower jaw, the upper and lower brushing compartments (3, 4) being defined by external side walls (9, 10) and being separated from one another by a base wall (5) extending between the side walls intermediate upper and lower ends thereof, the side walls and the base wall being having internal walls (6, 8) provided with flexible brushing elements extending inwardly from the respective walls into the compartments; and

a handle (15) mounted externally and pivotably on one of the side walls (9) no more than one external wall (17) of the brushing head (2) intermediate the side wall upper and lower ends and extending away from the brushing head (2),

wherein the handle is pivotably moveable in a plane ~~perpendicular~~ parallel to a plane of the ~~external wall (17)~~ base wall (5).

24(previously presented). The toothbrush according to claim 23, wherein the upper brushing compartment (3) and the lower brushing compartment (4) are firmly attached to each other.

25(previously presented). The toothbrush according to claim 23, wherein the brushing head (2) is generally H-shaped, with the upper brushing compartment (3) forming an upper part of the H-shape and the lower brushing compartment (4) forming a lower part of the H-shape.

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26(previously presented). The toothbrush according to claim 23, wherein the upper and lower brushing compartments (3, 4) are each generally V-shaped.

27(previously presented). The toothbrush according to claim 23, wherein the brushing head (2) is curved.

28(previously presented). The toothbrush according to claim 23, wherein the brushing head (2) is detachable.

29(currently amended). The toothbrush according to claim 23, wherein the external wall ( ~~47~~ 9 ) of the brushing head (2) is provided with at least one fastening means for releasably fastening the handle in at least one stable position onto the external wall.

30(previously presented). The toothbrush according to claim 23, wherein the external wall of the brushing head is provided with two fastening mean for releasably fastening the handle in either one of two stable and opposite positions.

31(previously presented). The toothbrush according to claim 23, wherein the toothbrush is electric.

32(currently amended). The toothbrush according to claim 23, wherein the handle (15) is pivotably mountable (16, 18) on a pivot member (16) on an external surface (17)

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of the external wall (47 9) of the brushing head (2), the external surface further comprising a seat (18) for housing the pivot member.

33(currently amended). The toothbrush according to claim 23,

wherein the handle (15) is mounted pivotably on the external wall (47 9) of the brushing head (2) at a first end of the handle (15), the first end of the handle (15) being rotatably mounted to a pivot member (16) located on an external surface (17) of the external wall (47 9) of the brushing head (2), the handle being pivotable between i) a stable first mounting position where, during use, a portion of the handle overlays a first end of the external surface of the external wall of the brushing head, and ii) a stable second mounting position which is opposite the stable first mounting position, where, during use, a portion of the handle overlays a second end of the external surface of the external wall of the brushing head, and

wherein the handle extends in a plane substantial parallel to the plane of the external wall when in either of the first and second mounting positions.

34(currently amended). The toothbrush according to claim 33, wherein the pivot member (16) is located substantially centrally on the external surface (17) of the external wall (47 9) of the brushing head (2).

35(currently amended). The toothbrush according to claim 33, further comprising:

a first fastening means located on the external surface of the external wall (47 9) at the first end of the external wall (47 9), configured to releasably fasten the handle in the stable first mounting position; and

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a second fastening means, located on the external surface of the external wall at the second end of the external wall and configured to releasably fasten the handle in the stable second mounting position.

36(previously presented). The toothbrush according to claim 23, wherein the brushing head is generally H-shaped, with the upper brushing compartment forming an upper part of the H-shape and the lower brushing compartment forming a lower part of the H-shape.

### REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:
  - a. The instant invention is neither anticipated nor rendered obvious by the prior art because the upper and lower brushing compartments (3, 4) being defined by external side walls (9, 10) and being separated from one another by a base wall (5) extending between the side walls intermediate upper and lower ends thereof, the side walls and the base wall being provided a handle (15) mounted externally and pivotably on one of the side walls (9) of the brushing head (2) intermediate the side wall upper and lower ends in combination with the other claimed limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MONICA CARTER can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldw

/LEE D WILSON/  
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